

REMARKS

Examiner Dang is thanked for his thorough examination of the Subject Patent Application. Regarding the rejection of Claims 12 - 22 under 35 USC 112, as being indefinite for failing to point out and claim subject matter, independent Claim 12 has now been amended to address this rejection. Independent Claim 12 now describes a process for formation of a N channel and of a P channel MOSFET device, with the specific conductivity type for body contact regions as well as for source/drain regions are now referring to the specific MOSFET type.

Regarding the rejection of Claims 1, 2, 5, and 7, under 35 USC 103, as being unpatentable over Kim et al (US 6,521,959), in view of Arisumi et al (US 5,886,385), independent Claim 1, has now been amended and in can easily be distinguishable from the above prior art. First, in the original unamended Claim 1, an STI region is formed in an SOI layer “with depth of said STI region terminating at the top surface of the insulator component of said SOI layer.” This, the STI region at same thickness of the SOI layer, in addition to a body contact region being entirely in the SOI layer (now included in amended Claim 1) are critical process sequence points for the fabrication of MOSFET devices with minimum device leakage. Referring to the Kim et al prior art it is clearly shown that STI regions 3a, do not extend to the top surface of insulator layer 51. In addition the Kim et al prior art (Fig 5) describes a body contact composite region comprised of a body line and a body extension, while applicant in amended Claim 1, formation of the entire body contact region 6, in SOI 4, is clearly described. These critical process differences differentiate applicants process sequence described in

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independent Claim 1, from the Kim et al prior art. Regarding the rejections of referencing dependent Claims 2 - 11, based in view of Arisumi et al, as well as in view of Hirano et al (US 6,337,230), applicants amended independent Claim 1, now does not allow the conclusion that the combination of Kim et al and the above prior art describes applicant's process sequence. Again no combination of prior art can result in applicant's process sequence for an MOSFET device in an SOI layer, wherein an STI region is formed to the same depth as the SOI layer, and wherein the entire body contact region is formed entirely in the SOI layer. Therefore based on the amendments made and the arguments presented, reconsideration of the rejection of Claims 1 - 11, under 35 USC 103, is requested.

Final restriction requirement is acknowledged. Non-elected Claims 23 - 44 have been cancelled. Applicant retains the right to file a divisional application at a later date.

Allowance of all Claims is requested.

It is requested that should Examiner Dang not find that the Claims are now Allowable that he call the undersigned attorney at 845-452-5863, to overcome any problems preventing allowance.

Respectfully submitted,

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